

## **REMARKS**

Reconsideration of this application is requested in light of the foregoing amendments and the following remarks. This response amends claims 1, 3, 8, 10, 12, 13, and 15-20. No claims are added or cancelled. Claims 1-20 remain pending in this application.

### **CLAIM REJECTIONS UNDER 35 USC § 102**

#### **Claims 1-2 and 7-20:**

In the Office Action, claims 1-2 and 7-20 are rejected under 35 USC 102(e) as being anticipated by Vij et al. (US Patent 6,452,910, hereinafter Vij). Applicant has amended claims 1, 8, and 12, from which the remaining rejected claims depend, and respectfully traverses the rejection.

Vij discloses a wireless bridge, which provides an end-to-end wireless communication path between a Bluetooth-enabled device and an Internet-connected server (Figures 1 and 6; col. 3, lines 24-28). The wireless bridge includes a wireless LAN interface (wireless LAN I/F, Figure 6) and a Bluetooth interface (Bluetooth I/F, Figure 6). Transmission of data between the wireless bridge and the server is via the wireless LAN interface, and exchange of data between the wireless bridge and a Bluetooth-enabled device (e.g., a Bluetooth-enabled vehicle) is via the Bluetooth interface (col. 6, lines 39-54).

Applicant's claims 1, 8, and 12, from which the remaining rejected claims depend, include at least the following features, which distinguish these claims from that which is disclosed by Vij:

#### Claim 1:

“... receiving, by an interface of the access point, the management communications from the host computer over a first connection; and

when a communication failure between the host computer and the access point occurs over the first connection, a radio module of the access point receiving the management communications from a wireless terminal over a second connection, which is different from

the first connection, using a second wireless communications protocol to allow management of the access point.”

Claim 8:

“ . . . a first interface for conducting data communications with one or more computers and for receiving management communications from the one or more computers over a first connection;

a first radio module using a first wireless communications protocol for wirelessly transmitting first data messages received from the one or more computers at said first interface to mobile units, and for receiving second data messages from the mobile units and relaying the second data messages to the one or more computers via the first interface;

at least one processor connected to the first interface and the radio module for controlling the access point; and

a second radio module operating using a second wireless communications protocol, which is different from the first wireless communications protocol, for receiving the management communications from a wireless terminal over a second connection when a communication failure between the one or more computers and the access point occurs over the first connection.”

Claim 12:

“... an interface;

a first radio module adapted to provide data communications with mobile units according to

a first wireless communications protocol;

a second radio module adapted to communicate with a wireless terminal according to a

second wireless communications protocol, which is different from the first wireless communications protocol; and

a processor communicatively coupled to the interface, the first radio module, and the second radio module, the processor adapted to

provide data messages from the interface to the first radio module,

receive management communications from a remote computer via the interface, and

when a communication failure between the remote computer and the apparatus occurs over the interface, to receive the management communications from the wireless terminal via the second radio module.”

Vij does not disclose all of the limitations of Applicant's claims 1, 8, 12, as amended above, or the claims that depend therefrom. Based on the amendments and the above remarks, Applicant believes that the rejection of claims 1-2 and 7-20 under 35 USC 102(e) has been overcome. Applicant respectfully requests reconsideration and withdrawal of the rejection, and the allowance of claims 1-2 and 7-20.

#### CLAIM REJECTIONS UNDER 35 USC § 103

Claims 3-6:

In the Office Action, claims 3-6 are rejected under 35 USC 103(a) as being unpatentable over Vij in view of Shoobridge et al. (US Patent 6,326,926, hereinafter Shoobridge). Applicant has amended claim 1, from which claims 3-6 depend, and respectfully traverses the rejection.

Shoobridge discloses a system having a first antenna arrangement tuned to communicate

within a first radiation pattern and a second antenna arrangement tuned to communicate within a second radiation pattern (Abstract). Shoobridge also discloses a cellular communication system 50 employing the Bluetooth standard (Figure 2, col. 5, lines 64-67).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As discussed above in conjunction with the rejection of claims 1-2 and 7-20, Vij does not disclose the features of Applicant's claim 1, from which claims 3-6 depend. Further, Shoobridge does not make up for the deficiencies in Vij, and accordingly the combination of Vij and Shoobridge does not teach or suggest all of the limitations of Applicant's claims 3-6. Because neither Vij, Shoobridge nor their combination teach or suggest all of the claim limitations, a *prima facie* case of obviousness cannot be sustained.

Based on the amendments and the above remarks, Applicant believes that the rejection of claims 3-6 under 35 U.S.C. 103(a) has been overcome. Accordingly, Applicant respectfully requests that this rejection be reconsidered and withdrawn, and that claims 3-6 be allowed.

#### SUPPORT FOR CLAIM AMENDMENTS

Support for the claim amendments may be found in the originally filed specification at least in paragraphs [0008], [0010], [0011], and [0013]. No new matter is introduced as a result of these amendments.

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### **CONCLUSION**

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or sschumm@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

Ingrassia Fisher & Lorenz, P.C.

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By /SHERRY W. SCHUMM/  
Sherry W. Schumm  
Reg. No. 39,422  
(480) 385-5060